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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/898,921	07/23/1997	YOICHI YAMAGISHI	35.C9583-CI.	6547

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EXAMINER

CHRISTENSEN, ANDREW BRUCE

ART UNIT

PAPER NUMBER

2612

14

DATE MAILED: 11/30/2001

Please find below and/or attached an Office communication concerning this application or proceeding.

M.G.

Office Action Summary

Application No.
08/898,921

Applicant(s)
Yamagishi

Examiner
Andy Christensen

Art Unit
2612



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on Aug 27, 2001

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 27, 29, 33-35, and 37-41 is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 27, 29, 33-35, and 37-41 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirements.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☐ Notice of References Cited (PTO-892)

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

19) ☐ Notice of Informal Patent Application (PTO-152)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____

20) ☐ Other: _____

1. The request filed on August 27, 2001 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 08/898,921 is acceptable and a CPA has been established. An action on the CPA follows.

2. The Applicant's arguments filed August 7, 2001 have been fully considered by the Examiner but they are not deemed to be persuasive.

The Applicant argues that Bullock does not teach or suggest a display unit that is controlled when it is detected that an image pickup is not detected, as recited in the amended claims.

In response, in order for the camera control application to run in Bullock it is inherent that connectivity between the camera and the computer be verified by the computer, such verification inherently including detecting whether or not the camera is connected. In addition, the computer's workspace displays objects additional to that of the capture device (Column 4, Line 64 - Column 5, Line 7). Therefore even when the image pickup apparatus is detected as not being connected, display information that is contained in the computer's memory is displayed in the form of the "other objects".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another

who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claims 27, 29, 33-35 and 37-41 are rejected under 35 USC 102(e) as being anticipated by Bullock et al. (U.S. Patent No. 5,675,358).

Regarding Claim 27, Bullock et al. disclose (Figures 1 and 2) an image processing system comprising an information processing apparatus (100) including an operating unit (132) adapted to enter information, a processor (130) adapted to process information entered at the operating unit, a display unit (114) adapted to perform a display corresponding to data processed by the processor, a memory unit adapted to store image information (Column 8, Lines 27-31), and an interface for connecting an external apparatus (See Figure 2 and Column 3, Lines 3-7); and an image pickup apparatus (118) detachable from the interface (See Column 3, Lines 3-7 and Column 2, Lines 66-67 and note that the image pickup apparatus is clearly detachable since the computer is an off-the-shelf item to which the image pickup apparatus as a peripheral device clearly must be connected using a detachable connection) including an image pickup unit (138); wherein the information processing apparatus further includes a detecting unit adapted to detect that the image pickup apparatus is connected (See Column 5, Lines 8-13 and note that a detection of whether or not the camera is connected is inherent in the decision to supply power thereto), and a controller adapted to control the display unit to display information sent from the image pickup apparatus in a case that the detecting unit detects that the image pickup apparatus is connected (Column 5, Lines 29-43, and to control the display unit to display information stored in the memory unit in a case that the detecting unit detects that the image pickup apparatus is not

connected (See Column 5, Lines 1-7 and note that even when the image pickup apparatus is detected as not being connected, display information that is contained in the computer's memory is displayed in the form of the "other objects").

Regarding Claim 29, Bullock et al. disclose that the display means displays an image sent from the image pickup apparatus in a window in a display screen thereon (Column 5, Lines 29-43).

Regarding Claims 33-35, Bullock et al. disclose that the display means displays the result detected by the detecting means as marks that relate to a camera and indicate an image pickup condition thereof (Column 5, Lines 29-43).

As to Claims 37-41 see Examiner's comments regarding Claims 27, 29 and 33-35 respectively.

4. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only).

Hand-delivered responses should be brought to Crystal Park 2, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

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5. Any inquiry regarding this communication or earlier communications from the examiner should be directed to Andy Christensen whose telephone number is (703) 308-9644.

If attempts to reach the examiner by telephone are unsuccessful the examiner's supervisor, Wendy Garber, can be reached on (703) 305-4929.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

ac
November 13, 2001



ANDREW B. CHRISTENSEN
PRIMARY EXAMINER